

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BARTON OF TEXAS, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

23

**AMENDMENT TO H.R. 5252, AS REPORTED
OFFERED BY MR. BARTON OF TEXAS**

Manager's amendments

Page 5, line 4, strike "intends" and insert "seeks authority".

Page 5, lines 13 and 23, and page 6, line 4, strike "contiguous".

Page 5, beginning on line 17, strike "within the jurisdiction of such unit of general local government contains" and insert "overlaps with".

Page 6, lines 1 and 2, strike "area contained in the franchise area of such cable operator" and insert "overlapping area".

Page 6, line 15, after "certification" insert "for authority".

Page 6, line 20, strike "under" and insert "in accordance with".

Page 7, line 1, strike "and subsection (g) of this section" and insert "(including the rules adopted under section 632(b) pursuant to subsection (g) of this section)".

Page 8, line 4, strike "that files" and insert "with".



Page 9, line 19, after the period insert the following:
“The Commission shall by rule specify the methods by which a franchising authority shall notify a cable operator of the hearing for which its participation is required under this subparagraph.”.

Page 12, line 24, strike “definition of gross revenues” and insert “definitions of gross revenues and franchise fee”.

Page 15, line 25, after “to provide” insert “on the day before its national franchise became effective”.

Page 16, beginning on line 20, strike subparagraph (A) and insert the following:

1 “(A) A cable operator franchised under
2 this section shall ensure that any public, edu-
3 cational, or governmental programming carried
4 by the cable operator under this section within
5 a franchise area is available to all of its sub-
6 scribers in such franchise area.

Page 17, line 16, after “cable operators shall” insert
“, if at least one of the operators is providing cable service in the franchise area pursuant to a franchise under this section,”.

Page 19, line 16, strike “Act” and insert “section”.



Page 22, line 7, strike "Congress" and insert "Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate".

Page 27, beginning on line 24, strike "The following sections" and insert "The provisions of this title that apply to a cable operator shall apply in a franchise area to a person or group with a national franchise under this section to provide cable service in such franchise area, except that the following sections".

Page 28, line 3, before the colon insert "in such franchise area".

Page 28, line 7, strike "Act" and insert "section".

Page 29, line 22, strike "subsections (c)(1) and (e)(2)" and insert "subsection (c)(1) or (e)(2)".

Page 30, line 22, after "cable operator" insert "with a national franchise".

Page 38, line 5, strike "and"; on page 39, line 2, strike the period at the end of the line and insert a semicolon; and after such line insert the following:

- 1 (4) in paragraph (7)(D), by inserting after
- 2 "section 653 of this title" the following; "except in
- 3 a franchise area in which such system is used to



1 provide cable service under a national franchise pur-
2 suant to section 630”;

3 (5) in paragraph (9)—

4 (A) by inserting “(A)” after “means”; and

5 (B) by inserting before the semicolon at
6 the end the following: “; and (B) a national
7 franchise that is effective under section 630 on
8 the basis of a certification with the Commis-
9 sion”; and

10 (6) in paragraph (10), by inserting before the
11 semicolon at the end the following: “, but does not
12 include the Commission with respect to a national
13 franchise under section 630”.

Page 39, line 8, before the period insert the fol-
lowing: “pursuant to the amendments made by this
title”.

Page 41, after line 20, insert the following new sec-
tion:

14 **SEC. 104. RULE OF CONSTRUCTION.**

15 Nothing in this Act or the amendments made by this
16 Act shall affect the application or interpretation of section
17 224 of the Communications Act of 1934 (47 U.S.C. 224).

Page 53, line 24, after “for a fee” insert “or without
a fee”.



Page 54, beginning on line 11, strike paragraph (3) and insert the following:

1 “(3) NECESSARY E-911 INFRASTRUCTURE.—
2 The term ‘necessary E-911 infrastructure’ means
3 the originating trucks to the selective routers, selec-
4 tive routers, databases (including automatic location
5 information databases and master street address
6 guides), trunks, or other related facilities necessary
7 for the delivery and completion of 911 and E-911
8 calls, or other 911 and E-911 equipment, facilities,
9 databases, interfaces, and related capabilities speci-
10 fied by the Commission.

Page 57, line 18, and page 60, line 13, strike
“716(j)” and insert “716(l)”.

